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By

Patricia Citchfield

(Signature of person mailing)

Patricia Citchfield

(Typed or printed name of person)

PC11897BRTR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Robert J. Chambers et al.

: EXAMINER: Rita J. Desai

SERIAL NO.: 10/613,988

: ART UNIT: 1625

FILED: July 02, 2003

:

FOR: Nicotinamide Biaryl Derivatives Useful
as Inhibitors of PDE4 Isozymes

:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. §1.181(a)

This paper is being filed in response to a Notice of Abandonment mailed February 02, 2005 in the subject patent application. As this petition is being filed within two months of the mailing date of the Notice of Abandonment, this petition is being timely filed.

Applicants hereby petition the Commissioner under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment of the subject application, since the subject application was never abandoned.

The Notice of Abandonment states that the subject application is abandoned for failure of Applicants' to timely pay the required issue and publication fee. The Notice further states that the issue fee and publication fee were not received. Applicants' respectfully submit that the issue fee was received by the USPTO and, therefore, that the subject application is not, in fact, abandoned.

The USPTO issued a Notice of Allowance and Fee(s) Due in the subject application on September 17, 2004. The issue fee was therefore due on December 17, 2004.

In response to that Notice, Applicants mailed Form PTOL-85 authorizing the USPTO to charge Deposit Account Number 16-1445 in the amount of \$1630.00, which is the sum of the issue fee (\$1330.00) and the publication fee (\$300.00) owed in the subject application. The Form was accompanied by the "Fee Address" Indication Form. Both were mailed, together with a postcard documenting the issue fee transmittal and the transmittal of the Fee Address Indication Form, on December 7, 2004. The postcard was stamped by the USPTO mailroom on December 13, 2004.

Applicants have enclosed herewith a copy of Form PTOL-85, the Fee Address Indication Form, and the stamped postcard. Accordingly, Applicants respectfully submit that, since the

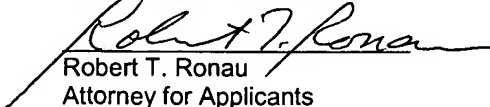
USPTO clearly received the issue fee payment form, the subject application was not abandoned. Applicants respectfully petition the Commissioner under 37 C.F.R. § to withdraw the holding of abandonment of the subject application.

Applicants respectfully request prompt issuance of the patent.

Dated: February 25, 2004

Pfizer Inc.
Patent Department
Eastern Point Road
Groton, CT 06340
(860) 441-5910

Respectfully submitted,


Robert T. Ronau
Attorney for Applicants
Reg. No. 36,257

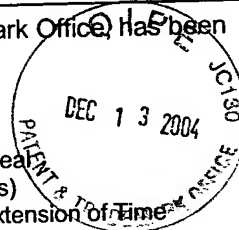


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02/24/05

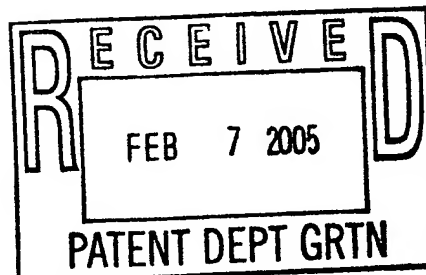
Date Mailed: Dec 7, 2004 Express Mail No. _____
Application No. 10/613,988 Docket No. PC11897B RTR By PL
ISSUE FEE
Application of Robert J. Chambers, et al.
Entitled Nicotinamide Biaryl Derivatives Useful As Inhibitors of PDE4 Isozymes

The following, due 12-17-2004 in the U.S. Patent and Trademark Office, has been received there on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Specification _____ pages | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Claims _____ pages | <input type="checkbox"/> Reply |
| <input type="checkbox"/> Abstract _____ pages | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Drawing(s) _____ sheets | <input type="checkbox"/> Brief (3 copies) |
| <input type="checkbox"/> Declaration with <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet | <input type="checkbox"/> Filing of Missing Parts |
| <input type="checkbox"/> Letter of Transmittal | <input type="checkbox"/> Express Mail Certificate |
| <input type="checkbox"/> Disclosure Statement References | <input type="checkbox"/> Associate Power of Attorney |
| <input type="checkbox"/> Form PTO-FB-A820 | <input type="checkbox"/> Petition for Expedited Issuance for Foreign Filing License |
| <input checked="" type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Provisional Cover Sheet |
| <input checked="" type="checkbox"/> Fee Address Indication Form | <input type="checkbox"/> PTO-1390 (DO/EO/US) _____ pages |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Form PTO-1050 |
| <input type="checkbox"/> Cert. of Correction under 37 CFR 1.322(a) | |



RTR ✓





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"FEE ADDRESS" INDICATION FORM**Address to:****Mail Stop M Correspondence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

INSTRUCTIONS: Only an address associated with a Customer Number can be established as the fee address for maintenance fee purposes (hereafter, fee address). A fee address should be specified when the patentee would like correspondence related to maintenance fees to be mailed to a different address than the correspondence address for the application. If there is a Customer Number already associated with the fee address for the patent or allowed application, check the first box below and provide the Customer Number in the space provided. If there is no Customer Number associated with the fee address for the patent or allowed application, you must check the second box below and attach a Request for Customer Number form (PTO/SB/125). For more information on Customer Numbers, see the Manual of Patent Examining Procedure (MPEP) § 403.

Please recognize as the "Fee Address" under the provisions of 37 CFR 1.363 the address associated with:

☒ Customer Number: 28523**OR**☐ Request for Customer Number (PTO/SB/125) attached hereto
in the following listed application(s) for which the Issue Fee has been paid for patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	10/613,988 filed July 2, 2003

Completed by (check one):

☐ Applicant/Inventor☒ Attorney or Agent of record 36,257
(Reg. No.)☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☐ Assignee recorded at Reel _____ Frame _____
SignatureRobert T. Ronau
Typed or printed name860-441-5910
Requester's telephone numberDecember 7, 2004
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

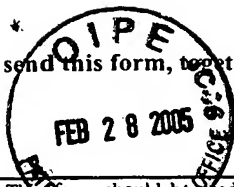
This collection of information is required by 37 CFR 1.363. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop M Correspondence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000



INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or indicated otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

28523

7590

09/17/2004

PFIZER INC.
PATENT DEPARTMENT, MS8260-1611
EASTERN POINT ROAD
GROTON, CT 06340

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

<u>Patsicia Citchfield</u>	(Depositor's name)
<u>Patsicia Citchfield</u>	(Signature)
<u>Dec. 7, 2004</u>	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,988	07/02/2003	Robert J. Chambers	PC11897B	4364

TITLE OF INVENTION: NICOTINAMIDE BIARYL DERIVATIVES USEFUL AS INHIBITORS OF PDE4 ISOZYMES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	12/17/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
DESAI, RITA J	1625	546-339000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Peter C. RichardsonGregg C. BensonRobert T. Ronau

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Pfizer Inc

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

New York, New YorkPlease check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 16-1445 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Robert T. Ronau

Date

December 7, 2004

Typed or printed name

Robert T. Ronau

Registration No.

36,257

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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